

REMARKS/ARGUMENTS

Claims 1-2, 6, 8, 9, 11-13, and 17-20 are pending in the present application, of which claims 1, 9, 19, and 20 are independent. Claims 1, 9, 19, and 20 are hereby amended. No new matter has been added.

The courtesies extended to Applicant's representative by Examiner Survillo during the telephonic interview held on July 14, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview

REJECTIONS UNDER 35 U.S.C. § 102(e)

On pages 3-6, the Office Action rejects claims 1, 6, and 9 under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,714,515 to Marchand (hereinafter "Marchand"). Applicant respectfully traverses these rejections.

As amended, independent claim 1 recites, in part, the following subject matter: "said first NRC acts as a trusted entity that initiates a dynamic, trusted, policy association between said first PEP and said first PDP" (emphasis added). Similar subject matter appears in independent claim 9. This subject matter finds support, for example, in paragraph [0027] of the specification.

Applicant respectfully submits that Marchand fails to disclose, teach, or suggest this subject matter. In rejecting the subject matter currently recited in

claims 1 and 9, the Office Action cites lines 7-21 of col. 4 and Figure 3 in Marchand. The Office Action fails to identify a first PEP in Fig. 3, instead relying upon the PEP in Fig. 1 that is not shown in Fig. 3. Even if one were to assume that a PEP might be linked to the block diagram of Fig. 3, an NRC would not initiate a dynamic, trusted, policy association of a PEP with a PDP.

Applicant respectfully submits that such an association would not occur because Marchand clearly lacks a NRC. Although the Office Action alleges that an intra-domain interface [Fig. 3: 37] functions as a PDP, this allegation contradicts line 18 of col. 5 in Marchand, where the BB [Fig. 1: 12] functions as a PDP. This contradiction is evident on page 4 of the Office Action, where the BB is misidentified as the NRC. Instead, it should be listed as the PDP.

Independent claim 1 further recites the following subject matter: "when said first NRC requires resources from a second domain outside the first domain, said first NRC signals a request to a second NRC in said second domain" (emphasis added). Similar subject matter appears in independent claim 9. On pages 4-6, the Office Action alleges that Marchand discloses this subject matter, citing lines 13-18 of col. 7 in Marchand.

Applicant respectfully submits that Marchand, alone or in combination, fails to disclose, teach, or suggest this subject matter, as Marchand lacks NRCs. As mentioned above, Marchand clearly lacks a first NRC because Marchand's BB

functions as a PDP, not an NRC. Thus, Marchand also lacks a second NRC because other BBs would function as PDPs. Such direct communication between PDPs would resemble Fig. 1 of the prior art in the present application, not the claimed use of inter-domain resource requests between a first NRC in domain A and a second NRC in domain B, as depicted in Fig. 2.

Independent claim 1 also recites, in part, the following subject matter: “which acts as the trusted entity that initiates a dynamic, trusted, policy association between a second PEP in said second domain and said first PDP, said first PDP providing said second PEP with the policies upon establishment of said dynamic, trusted, policy association between said second PEP and said first PDP” (emphasis added). Similar subject matter appears in independent claim 9. On pages 5-6, the Office Action alleges that Marchand discloses this subject matter, relying upon lines 13-20 of col. 7 in Marchand.

Applicant respectfully submits that Marchand, alone or in combination, fails to disclose, teach, or suggest this subject matter, as Marchand lacks NRCs. The inter-domain interface [Fig. 3: 36] of Marchand does not permit a second NRC to acts as trusted entity to initiate a dynamic, trusted, policy association between a PDP in a first domain and a PEP in a second domain. Instead, Marchand merely discloses associations between PDPs [BBs] in adjacent domains.

For the reasons detailed above, Applicant respectfully submits that independent claims 1 and 9 are allowable over Marchand. Claim 6 depends from claim 1, so claim 6 is also allowable at least due to its dependency from an allowable claim. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1, 6, and 9 under 35 U.S.C. § 102(e).

REJECTIONS UNDER 35 U.S.C. § 103(a)

On pages 7-11, the Office Action rejects claims 2, 11-13, and 17-20 under 35 U.S.C. § 103(a) as allegedly unpatentable over Marchand in view of U.S. Patent No. 7,246,165 to Williams et al (hereinafter "Williams"). On page 12, the Office Action rejects claim 8 under 35 U.S.C. § 103(a) as allegedly unpatentable over Marchand in view of RFC-3084 to Chan (hereinafter "Chan"). Applicant respectfully traverses these rejections.

Independent claim 19 recites the following subject matter: "a virtual first policy enforcement point (PEP) residing on a network element of the communications network that is created upon requesting the particular service" (emphasis added). Similar subject matter appears in independent claim 20. On pages 10 and 11, the Office Action correctly concedes that Marchand fails to disclose this subject matter. The Office Action then attempts to remedy this admitted deficiency in Marchand by applying the teachings of Williams.

While Williams may disclose a virtual GSSN [20: Fig. 8], Williams does not disclose, teach, or suggest an NRC. Chan fails to remedy the deficiencies of Marchand because Chan also lacks an NRC.

Independent claim 19 recites the following subject matter: “provision the policy-enabled resources allocated to the particular service based upon an aggregated view of resources in the first NRC” (emphasis added). Similar subject matter appears in independent claim 20. This subject matter finds support in the specification, for example, in paragraph [0034]. Because the NRC has an aggregated view of resources, the PEP is only interested in the resources that are indirectly identified by the NRC.

Marchand, Williams, and Chan, alone or in combination, fail to disclose, suggest or teach this subject matter. The references of record cannot provide an aggregated view of resources as claimed because they lack the structural connections between the NRC, PDP, and PEP in each domain that provide this view. Moreover, the Office Action fails to present a *prima facie* case of obviousness because, as described for independent claims 1 and 9 above, it only describes a PDP-PDP connection that suffers the same drawbacks as the prior art of Fig. 1.

For the reasons detailed above, Applicant respectfully submits that independent claims 1, 9, 19, and 20 are allowable over the references of record. Claims 2 and 8 depend from claim 1. Claims 11-13 and 18 depend from claim 9.

Accordingly, claims 2, 8, 11-13, and 18 are also allowable at least due to their respective dependencies from allowable claims. Thus, Applicant respectfully requests withdrawal of the rejection of claims 2, 8, 11-13, and 17-20 under 35 U.S.C. § 103(a).

CONCLUSION

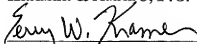
While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

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